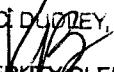


IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

APR 12 2013

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

DONALD ROBERT PILCHER, ) CASE NO. 7:13CV00135

)

Petitioner, ) FINAL ORDER

)

v.

)

COMMONWEALTH OF VIRGINIA, ) By: James C. Turk  
Respondent. ) Senior United States District Judge

)

In accordance with the accompanying memorandum opinion, it is hereby

**ADJUDGED AND ORDERED**

that petitioner's submission styled as a "MOTION TO VACATE VOID JUDGMENTS PER FRCP 60(B)," is **CONSTRUED** as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, and is **DISMISSED** without prejudice as successive, and this action is stricken from the active docket of the court.

Further, finding that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1), a certificate of appealability is **DENIED**.

ENTER: This 12<sup>th</sup> day of April, 2013.

  
\_\_\_\_\_  
Senior United States District Judge